

## COMOROS: Tier 3

Comoros is a source country for children subjected to forced labor and sex trafficking within the country; Comoran women and children are subjected to forced labor in Mayotte.

Comoran women and Malagasy women who transit Comoros may be subjected to forced labor in the Middle East. Children on Anjouan, some of whom were abandoned by parents who left to seek economic opportunities in other countries, are subjected to forced labor, mostly in domestic service, roadside and market vending, baking, fishing, and agriculture.

On Anjouan and Moheli, poor rural families frequently place children with wealthier relatives or acquaintances in urban areas or on Grande Comore for access to schooling and other benefits; some of these children are subjected to domestic servitude and physical and sexual abuse. Most Comoran children aged 3 to 7 (and some up to age 14) study at informal neighborhood Koranic schools headed by private instructors, where some are exploited as field hands or domestic servants as payment for instruction and subjected to physical and sexual abuse.

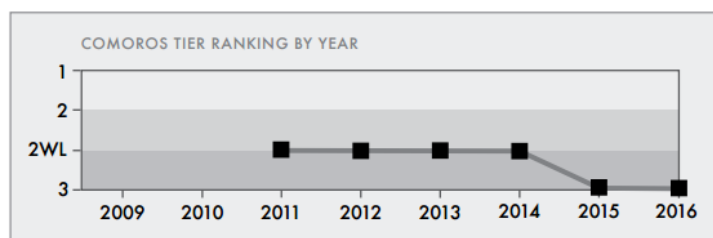
Girls are reportedly subjected to sex trafficking in Comoros. Comorians may be particularly vulnerable to transnational trafficking due to a lack of adequate border controls, corruption within the administration, and the existence of international criminal networks involved in human smuggling. Some of the estimated 3,000 unaccompanied Comoran children on Mayotte are subjected to domestic servitude and sex trafficking, at times after the deportation of their parents.

The Government of Comoros does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not investigate or prosecute sex trafficking or forced labor crimes, or identify and protect victims. The government did not investigate, prosecute, or convict traffickers, including complicit officials, and it provided inadequate resources to law enforcement officials, including the Morals and Minors Brigade, the office charged with the investigation of child abuse and exploitation.

The government did not identify or assist any victims during the year, although it continued to support NGO-run centers offering counseling, medical, and legal service to child and female victims of sexual and other violence on each of the three islands. Officials lacked formal procedures for the systematic identification and subsequent referral of victims to care.

Official complicity in trafficking crimes, the extensive use of out-of-court financial settlements in lieu of investigation and prosecution of crimes, and the use of mediation, resulting in the return of children to their alleged exploiters, continued to be serious concerns.

## COMOROS TIER RANKING BY YEAR



## **RECOMMENDATIONS FOR COMOROS:**

Redraft the amendments to the penal code related to trafficking to conform with the child labor law and existing penal code provisions, and enact the amendments; in cooperation with NGOs and international organizations, increase the availability of protection services, including counseling and psychological care, for adult and child trafficking victims; develop procedures to identify and refer trafficking victims to care; investigate, prosecute, and convict trafficking offenders, including allegedly complicit officials; end the practice of returning children to their exploiters through arbitration; work with international partners to implement recommendations from the forthcoming study on the forms and extent of the trafficking problem in Comoros; conduct anti-trafficking public awareness campaigns; and accede to the 2000 UN TIP Protocol.

**PROSECUTION** The government made negligible anti-trafficking law enforcement efforts.

Comoran law does not prohibit all forms of human trafficking. Article 310 of the penal code prohibits aiding or assisting in the prostitution of others, prescribing penalties of six months' to three years' imprisonment and fines. Article 311 prescribes increased penalties, ranging from two to 10 years' imprisonment, for aggravating factors related to article 310.

Article 323 prohibits the facilitation of child prostitution and prescribes sufficiently stringent punishments of two to five years' imprisonment and fines; however, these penalties are not commensurate with those for other serious crimes, such as rape.

Although prostitution is illegal in Comoros, existing laws do not criminalize the forced prostitution of adults. Article 333 prohibits illegal restraint and prescribes penalties of 10 to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. Article 2 of the labor code prohibits forced and bonded labor, prescribing insufficiently stringent penalties of three months' to three years' imprisonment or fines.

The Law Countering Child Labor and Trafficking in Children (child labor law), which went into effect in January 2015, prohibits the worst forms of child labor in article 6 and child trafficking in article 13. However, articles 6 and 13 are inconsistent with each other: Article 6 does not require the means of threat or use of force or other forms of coercion, fraud, or deception and prescribes an insufficiently stringent penalty of five months' to 10 years' imprisonment, and article 13 does require the means of threat or use of force or other forms of coercion, fraud, or deception.

Article 6 of the labor code also partially overlaps with articles 310, 311, and 323 of the penal code and prescribes penalties ranging from two to 10 years' imprisonment for such acts involving children. The overlap in these laws raises concern prosecutors may be unclear as to which laws to use to hold traffickers accountable. Despite parliamentary approval in 2014, the president has not yet assented to amendments to the penal code that would specifically add provisions to prohibit trafficking in persons.

The government did not report investigating, prosecuting, or convicting traffickers during the reporting period. It did not provide further information on the investigation, reported in a previous year, of a magistrate allegedly responsible for the domestic servitude of a 14-year-old girl. The government did not systematically collect data or information on law enforcement efforts, including human trafficking. During the year, the Morals and Minors Brigade continued to oversee the investigation of cases of child abuse and exploitation, potentially including child trafficking, nationwide, but its investigative efforts were hampered by a lack of

government funds. The police generally lacked basic resources, including vehicles, fuel, and equipment, and often relied on victims to provide funds for transport or communication.

The government did not provide trafficking-specific training for law enforcement officials on how to recognize, investigate, and prosecute trafficking and related crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Corruption at all levels of government, law enforcement, and the judiciary remained a significant concern in Comoros and hindered law enforcement efforts, including efforts to address trafficking.

Many complaints were resolved through out-of-court financial settlements with victims' families. Judges renegotiated agreements between a child's parents and his or her trafficker, effectively re-trafficking the victim by returning the child to domestic servitude. Some police reportedly returned sexually abused children to their exploiters.